

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

SEQUOIA TECHNOLOGY, LLC,)	
)	
Plaintiff,)	
v.)	C.A. No. 18-1127 (LPS) (CJB)
)	(CONSOLIDATED)
DELL INC., DELL TECHNOLOGIES INC. and its)	
subsidiary EMC CORPORATION (AKA DELL)	
EMC),)	
)	
Defendants.)	
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RED HAT, INC.)	
)	
Plaintiff,)	
v.)	C.A. No. 18-2027 (LPS) (CJB)
)	
SEQUOIA TECHNOLOGY, LLC and)	
ELECTRONICS AND)	
TELECOMMUNICATIONS RESEARCH)	
INSTITUTE,)	
)	
Defendants.)	
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[PROPOSED] FINAL JUDGMENT

In accordance with the parties' Joint Motion for Entry of Final Judgment and this Court's order granting that motion, and for the reasons stated in the order, it is hereby **ORDERED**, **ADJUDGED** and **DECREED** as follows:

1. Judgment is granted in favor of Red Hat, Inc., on its claim for declaratory judgment of non-infringement of U.S. Patent No. 6,718,436 ("the '436 Patent").

2. Judgment is granted in favor of Red Hat, Inc., on its claim for declaratory judgment of invalidity of Claims 8–10 of the '436 Patent under 35 U.S.C. § 101. The remainder of Red Hat, Inc.'s claim for declaratory judgment of invalidity of claims of the '436 Patent is dismissed without prejudice.

3. Judgment is granted in favor of Red Hat, Inc., on Sequoia Technology, LLC ("Sequoia")'s counterclaim for infringement of the '436 Patent.

4. Judgment is granted in favor of International Business Machines Corp. on Sequoia's counterclaim for infringement of the '436 Patent.

5. Judgment is granted in favor of Dell Inc.; Dell Technologies Inc.; and its subsidiary EMC Corporation (a/k/a Dell EMC) on Sequoia's claim of infringement of the '436 Patent.

6. Judgment is granted in favor of Hewlett Packard Enterprise Company on Sequoia's claim of infringement of the '436 Patent.

7. Judgment is granted in favor of Hitachi, Ltd. and Hitachi Vantara LLC (formerly known as Hitachi Vantara Corporation) on Sequoia's claim of infringement of the '436 Patent.

8. Judgment is granted in favor of Super Micro Computer, Inc. on Sequoia's claim of infringement of the '436 Patent.

9. The foregoing Judgment is FINAL and APPEALABLE.

10. This judgment is without prejudice to any and all rights of Sequoia and/or ETRI to appeal including, without limitation, their rights to challenge the Court's Claim Constructions of "disk partition," "logical volume," "computer-readable recording medium," and any other disputed claim term on appeal.

Dated: _____.

UNITED STATES DISTRICT JUDGE